



## Broome County Sheriff's Office Policy Statement

<b>Effective Date :</b> 1/10/12	<b>Rescinds :</b>	<b>Amends :</b> 203, 9/00, 1/01, 2/01 4/10
<b>Subject :</b> Rules of Conduct	<b>Number :</b> 203	<b>Reference :</b> 14.1
	<b>Special Inst.:</b>	<b>Approved :</b>

### I. PURPOSE:

- A. To establish a code of conduct or rules of conduct for all members of the Broome County Sheriff's Office. (revised 2/2001)

### II. POLICY:

- A. The attached manual entitled "BROOME COUNTY OFFICE of the SHERIFF, RULES OF CONDUCT" will be the official guide for conduct for all members of the Broome County Sheriff's Office. (revised 2/01)

### III. PROCEDURES:

- A. The manual will be issued to all employees of the Broome County Sheriff's Office.
- B. It shall be the responsibility of supervisors to ensure that new members are provided a copy. (revised 2/01)
- C. Each member shall sign for their copy of the manual, disk or electronic media storage device (revised 1/12).

**BROOME COUNTY**  
**OFFICE of the SHERIFF**



**RULES**  
**OF**  
**CONDUCT**

PART 1

Policy Established 6/97  
Policy Revised 9/00  
Policy Revised 1/01  
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## PROFESSIONAL CONDUCT

- 1.1 Members shall know and comply with all Rules of Conduct, Regulations, Procedures and Directives established under authority of the Sheriff. Negligence, reluctance or failure to comply may be deemed Neglect of Duty and will make an officer subject to disciplinary action. Provisions of any article, rule or procedure may be waived at the discretion of the Sheriff. (revised 1/2001 )
- 1.2 Members shall know the duties and responsibilities of their assignment and shall perform their duties as assigned or related without unnecessary delay.
- 1.3 Command and Supervisory Members shall equally and impartially enforce office rules of conduct, regulations, procedures and directives.
- 1.4 Members who have knowledge of other members who are disobeying orders, ordinances, B.C.S.O. Rules of Conduct or B.C.S.O. orders or directives of any type will without unnecessary delay bring the matter to the attention of his/her immediate supervisor. Should any member believe that the matter is of sufficient gravity or if the matter involves supervisory personnel, he/she may bypass the chain of command and advise the Sheriff or Undersheriff. Supervisors who have been advised of such a violation may not ignore the report, but must investigate the circumstances and/or advise further up the chain of command as the situation requires. (revised 2/01 )
- 1.5 Members shall maintain, in neat and orderly fashion, all manuals and directives issued to them by this Office. Members must make appropriate changes or inserts as they are issued. (revised 2/01 )
- 1.6 All manuals, directives and other Office documents are confidential and the property of the Broome County Sheriff `s Office. However, their safety and security are the responsibility of the employee to whom they are issued. No employee shall provide, transmit display or post on the internet, e-mail, text or faxed copies or disclose the contents of any office document or information without the proper authorization. (revised 1/12)
- 1.7 Members shall maintain sufficient knowledge of Federal, State and Local statutes to enable them to adequately perform their duties. Members shall enforce the law equally and without bias.
- 1.8 Members shall at all times, whether on or off duty, take appropriate and necessary action whenever a crime or serious incident is observed or brought to their attention. If the member decides not to become actively involved in such a matter because of the nature

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of the incident, the potential for harm to bystanders, witnesses or other members, or due to the fact that the member is not sufficiently armed or because of the availability of on-duty law enforcement members, the member is expected to observe the incident and aid responding units in whatever manner is requested or directed. (revised 02/01 )

- 1.9 Members shall follow the chain of command as the official course for transmitting oral or written communications. Exceptions may be made in emergency situations or when properly excused by competent authority, or when time or circumstances do not permit.
- 1.10 Orders shall be issued only by competent authority. All orders shall be lawful, in accordance with rules and regulations, in the proper form, and communicated in a clear, understandable and civil manner.
- 1.11 Members shall, without unnecessary delay, obey all lawful orders, oral or written as well as instructions issued by a supervisor or other competent authority.(revised 02/01 )
- 1.12 Members, when transmitting orders from higher authority, shall not amend or countermand the orders without good reason, nor shall they intentionally convey a misrepresentation of orders.
  - a. All members shall, upon receipt of an order conflicting with any previous order or instruction, advise the member issuing the second order that a conflict exists. Unless it is amended or retracted, the last order shall stand.
  - b. Members shall not obey any order, which they know or should know requires them to commit any illegal act. If in doubt as to the legality of an order, the effected member shall request the issuing officer to clarify the order or for permission to confer with a higher authority.(revised 02/01)
- 1.13 Command and supervisory members shall demonstrate by example, proper and desirable attitudes.
- 1.14 Members shall render appropriate military courtesies in all official contacts. When on duty and particularly when in the presence of other law enforcement officer's civilians or the public. Command and supervisory members will be referred to by their rank.  
(revised 01/12)

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- 1.15 Members will be courteous and respectful in all official contacts with superior members. The willful disobedience in complying with any order, lawfully issued, orally or in writing, by a supervisory member or acting supervisor as designated by the Sheriff, or any disrespectful, insolent or abusive language or actions directed towards a supervisory or acting supervisory member is prohibited.
- 1.16 Members shall, in all official contacts, refrain from expressing derogatory statements relative to other members of the office. Members shall not make slurs or jokes based on a real or imagined protected status of another member(s) such as, but not limited to, age, race or gender. Such slurs or jokes shall not be made either to the member(s) at which it's directed or to other members outside of a member's presence.(revised 02/01)
- 1.17. Supervisory members shall ensure that employees under their command perform their full duties. Supervisory members shall project an image of efficiency, effectiveness and meaningful direction, assisting and instructing those in their command as necessary.(revised 02/01)
- 1.18 Supervisors must provide a good example in both conduct and appearance; have a thorough understanding of the rules and procedures of the Sheriff's Office and shall assist and instruct subordinates in the proper performance of their duties.( revised 8/2000)
- 1.19 Supervisors who either intentionally overlook or condone incompetence or misconduct on the part of their subordinates, with disregard to the rules of conduct and policies, shall be guilty of neglect of duty. (revised 02/2001)
- 1.20 Members shall not knowingly engage or participate in any unlawful act or activity which brings disrepute upon the Broome County Sheriff s Office or any of its members. (new 01/01 )
- 1.21 Members shall not leave their assigned duty post without authorization from the O.I.C., unless an emergency exists which requires him/her to leave and in that event the O.I.C. shall be notified. (new 01/01)

## PART 2

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## PUBLIC CONTACTS

- 2.1 Members shall be courteous and respectful in their official dealings with the public. Members shall provide their names and I.D. numbers to any citizen upon request. (revised 02/01 )
- 2.2 Members shall be tactful, helpful, willing and prompt in rendering assistance or service to the public.
- 2.3 Members shall not be reluctant or evasive in the performance of their duties.
- 2.4 Members shall refrain from idleness, laxity or other conduct which exhibits a lack of diligence.
- 2.5 Members shall remain calm, composed and patient in the discharge of their duties. However, when necessary, they shall act with sufficient firmness to carry out a duty.
- 2.6 Members shall be courteous and orderly in their dealings with the public. Members shall refrain from harsh, profane, derogatory or insulting language which does not reasonably serve a legitimate law enforcement purpose. (revised 02/01)
- 2.7 When using physical force to control or arrest individuals, members will not subject any person to unnecessary brutality or unlawful physical force. ( revised 01/01 )
- 2.8 Members shall refrain from actions or conduct while on duty which may discredit any member of the B.C.S.O. or the Sheriff. These actions shall include, but not Limited to: "  
(revised 02/01)
  - A. Sleeping on duty.
  - B. Congregating for other than duty related business.
  - C. Public altercations or disputes between members.
  - D. Profanity in public.
  - E. Horseplay in public view.

## PART 3

### PROHIBITED PLACES, CONDUCT, ASSOCIATIONS

- 3.1 Members shall not use or possess alcoholic beverages while on duty, except that members

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working in plain clothes may drink alcoholic beverages while on duty, when necessary to accomplish a police purpose and when acting under orders from a superior.(revised 02/01)

- 3.2 Members shall not be unfit for duty due to the use of intoxicants, drugs or other substances. Members who have been lawfully prescribed a controlled substance must advise their supervisor if the substance has side effects that may render the member unfit for duty, such as drowsiness, lightheadedness, euphoria or sensory deprivation or any other side effect that impinges on the ability of the member to perform his or her duties. In such case the Sheriff or his/her designee will consult with both the member and with the member's consent, his or her medical provider in order to determine if the member can perform his or her duty competently and safely. ( revised 01/01)
- 3.3 Members, when directed with cause, shall submit to a chemical test of their breath, blood or urine. This section shall be conducted in accordance with the procedures set forth in any applicable collective bargaining agreement provision and with Broome County Drug and Alcohol Policy.( revised 01/01)
- 3.4 Members shall not promote or engage in gambling or games of chance while on duty unless approved by a supervisor in the performance of official duties. (revised 8/00)
- 3.5 Members shall avoid personal association with known criminals, convicted felons or persons of poor moral character or reputation. Members should avoid personal association and personal dealings with any persons which would reasonably tend to arouse the suspicion that such associations would affect their integrity or the performance of their duties, except as necessary in the performance of official duties. (revised 02/01 )
- 3.6 Members shall not enter or frequent a house of prostitution, illegal gambling house, or other establishments and locations where constant or flagrant violations of the law are regularly violated and exist except in the performance of duty while under the proper and specific orders from a supervisory member or competent authority. (revised 02/01)
- 3.7 Members shall not own, operate, be employed in, maintain a financial interest in, nor benefit in any way from establishments or locations where constant or flagrant violations of the law exist.
- 3.8 Members shall not lend assistance or communicate information which may enable any person to evade arrest, investigation or due process of the law, or enable them to dispose of or secrete evidence, contraband or information related to criminal activity.
- 3.9 Members shall not intentionally withhold from proper authority, information related to known or suspected criminal activity.
- 3.10 Members shall not knowingly, or without proper authorization, conduct an investigation or affect an arrest which may interfere with or compromise an existing investigation by any official or law enforcement agency.

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- 3.11 Members shall not undertake self initiated investigations which are outside their normal scope of responsibility, without notifying and receiving prior approval from competent authority. When such notice is impossible or impractical, the member notice shall make such notice without unnecessary delay.(revised 02/01 )
- 3.12 Members shall not solicit or accept gifts, including money, tangible or intangible property, loan, promise, service or entertainment, gratuities, rewards or favors intended to cause or reward favorable treatment. Members shall not solicit any food, beverages or other valuable consideration without cost or at reduced cost at any time.(revised 02/01)
- 3.13 Members shall not, without proper authorization, offer, sell, or make for publication, the contents of documents, case histories, photographs or other material related to the business activities of the B.C.S.O.. (revised 8/00)
- 3.14 Members shall not use their official position to promote the personal business interest of any person or organization.
- 3.15 Members shall not use, nor allow the use of their official position to endorse, certify or discredit a commercial product.
- 3.16 Members shall not engage in commercial or profit -making activities, advertising, vending or soliciting while on duty.
- 3.17 Members shall not disclose confidential office business or police information to any person except those officially entitled to disclosure. Violation of security of this type is misconduct. (revised 02/01)
- 3.18 Members who are acting as representatives of the B.C.S.O. or who are holding themselves out as having an official capacity with the B.C.S.O., shall receive prior approval from the Sheriff or his/her designee before addressing public gatherings, making statements on radio, television, in periodicals or other print or electronic media. Members shall not act as a respondent to inquiries from such media outlets unless authorized to do so by the Sheriff or his/her designee. Members at the scene of an incident may give basic information to members of the press such as who, what and where as long as that information does not jeopardize a law enforcement operation or investigation. (revised 02/01)
- 3.19 Members when making authorized public statements shall not intentionally convey false or inaccurate information, nor shall they express their personal opinions as being those of the County or the Office without approval of competent authority.
- 3.20 Members shall not use their official position in aid of or in opposition to any political candidate, party, club, association or society.
- 3.21 Members shall not, when on duty, engage in fund raising activities, solicit or receive money for a political organization or other political purpose. (revised 8/00)

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- 3.22 Members shall not engage in fund raising activities, distributions of literature, or petitioning for charitable, civic or religious organizations while on duty or in an official facility without prior authorization from competent authority.
- 3.23 Members shall not join, support or associate themselves with subversive organizations or any group whose principals or activities may place them in conflict with the proper, impartial or effective performance of their duties.
- 3.24 Members shall not cause the influence of any person or group outside the Office for themselves or others in relation to official appointments, promotions, assignments or disciplinary actions.
- 3.25 Members shall, whether on or off duty, conduct themselves in a professional manner and be attentive to the public trust and confidence that has been placed in the Office and its members. Conduct which may discredit or be prejudicial to the good order, efficiency or discipline of the Office is prohibited. Violation of any duly constituted law is also prohibited.
- 3.26 Members shall report in writing to the Sheriff within 24 hours any violation of the following: any violation of the law charged against them in any jurisdiction; any civil action initiated against them; any state administrative penalty, i.e. suspension or revocation of a driver's license or suspension or revocation of Police or Peace Officer Certification; an order of protection issued against them by any court. This section does not apply to parking citations or non-criminal traffic violations received while off duty. It does apply to notices of a failure to appear or answer parking citations and non-criminal traffic violations. (revised 11/02)
- 3.27 Members shall not read tabloids, periodicals or books while on duty or possess non work related reading material in department vehicles or offices. Publications and material related to the criminal justice field may be read or studied as long as proper and efficient performance of assigned duties are not impaired.(rev 2/01)
- 3.28 Members are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their employment with the department, except as may be specifically authorized by the Sheriff or Undersheriff.
- 3.29 Members shall report to their superiors in writing any required appearance, voluntary appearance or planned appearance as a witness for the defense in a criminal case in any jurisdiction.(revised 02-2001 )

## PART 4

### INTERNAL MATTERS

- 4.1 Members shall cooperate fully in all police or B.C.S.O. investigations that specifically relate

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to the performance of their or another member's duties or alleged violations of B.C.S.O. Rules of Conduct, Procedures, Policies or Directives. Members shall answer all questions pertaining to administrative investigations completely and accurately and shall submit all required reports and documents. Failure to truthfully answer questions as part of an administrative investigation shall be considered insubordination.(revised 02/01)

- 4.2 Members shall not dissuade or prevent any person from making or submitting a complaint relating to a member's conduct or performance of duty.
- 4.3 Members shall not knowingly make or submit a report or document which contains inaccurate, false or improper information. They shall not withhold, alter or withdraw a required report or document, nor influence any person to do so.( revised 8/00)
- 4.4 Members shall, when directed by competent authority, and without unnecessary delay, submit for inspection any firearms, uniform item, county property or Office issued credentials or equipment.
- 4.5 Members shall, when directed by competent authority, surrender firearms, credentials, shield, uniforms or any item issued by this Office.
- 4.6 Members who are suspended from duty shall not wear any portion of the B.C.S.O. uniform nor shall they exercise police or Sheriffs Office authority in any manner. (new 02/01 )

## PART 5

### PERSONNEL RULES

- 5.1 Members are subject to call for duty at all times and shall respond as directed unless excused by competent authority.
- 5.2 Members shall report to their designated duty station or area of assignment at the required

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- time, properly attired and equipped and complete required work hours. They shall not leave their area of assignment without authorization or until properly relieved. ( revised 8/00)
- 5.3 Members shall, when reporting for duty, be physically and mentally capable of performing their assigned duties. ( revised 8/00)
- 5.4 Members shall conform to the established procedures by informing their immediate supervisor for obtaining authorization for absence from duty.
- 5.5 Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise request absence from duty under false pretenses. ( revised 8/00)
- 5.6 Members shall submit, according to established procedures, complete and accurate documentation related to work hours and activities during their tour of duty. ( revised 8/00)
- 5.7 Members shall reside in Broome County during their tenure with the B.C.S.O. unless approved by the Broome County Legislature that they may reside outside. They shall provide the Office with their residential address and telephone number and shall report any such changes on their first working day following such changes. (new 02/01 )
- 5.8 Members shall possess a valid New York State driver's license.( revised 8/00)
- 5.9 Members shall not use the Broome County Sheriff Office mailing address for non- official purposes or any license or permit without prior approval of the Sheriff. ( revised 8/00)
- 5.10 Members shall have their shield and identification card in their possession while on duty, and at all other times when practical. ( revised 8/00)
- 5.11 Members shall not permit their shield or identification card to be duplicated or to be used by another person without permission of the Sheriff.( revised 8/00)
- 5.12 Members shall not possess or distribute business cards indicating association with the B.C.S.O. unless issued or authorized by the Office. ( revised 8/00)

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- 5.13 Members shall not engage in outside employment that is prohibited by law. (revised 8/00)
- 5.14 Per their current labor agreement, members are permitted lunch period during their regular eight hour work shift not to exceed the time established in the employee's labor agreement. (revised 8/00)
- 5.15 Members shall not, except as provided by the Criminal Procedure Law, withdraw arrest charges, solicit withdrawals, or void traffic charges, unless approved by their supervisor or the Sheriff. (revised 8/00)
- 5.16 Members shall not accept any reward received as a result of any services rendered in the line of duty without the approval of the Sheriff. ( revised 8/00)
- 5.17 Members shall not allow personal business to interfere with the performance of their duties. Any personal business which would interfere with a member's performance of assigned duties or responsibilities shall require prior approval of competent authority. (revised 01/01 )
- 5.18 Members shall not use their official identification or credentials to gain admission or privileges into any public or private gathering, event or establishment, for non duty related purposes.( new 01/01 )

## PART 6

### UNIFORM AND APPEARANCE

- 6.1 Members, while on duty, whether in uniform or in civilian attire, shall maintain their personal appearance in order to present a professional image.
- 6.2 Members shall wear uniforms or other clothing in accordance with their designated assignment. This will also include all trials, hearings and in service training.(revised 01/01)
  - a. Members assigned to uniform duty will wear only those articles of clothing and accessories issued or approved by the B.C.S.O.. (revised 01/01)
  - b. Members authorized to wear non-uniform /civilian clothing while on duty will be neatly dressed. Male members will wear a business suit or sport coat, dress shirt with tie, and dress slacks. Female Members authorized to wear civilian clothing will wear professional business - type attire.

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- 6.3 Members shall not wear office uniforms, or any part thereof, on outside employment or other off duty activities, unless authorized by the Sheriff. ( revised 8/00)
- 6.4 Members are responsible for the care and maintenance of their uniform clothing and equipment. Uniforms which do not present a neat clean, well pressed appearance, or which have become faded, torn, frayed or do not fit will not be worn. ( revised 8/00)
- 6.5 Members shall not alter their uniforms, affix pins, medals, ribbons or any other item without proper authorization. ( revised 8/00)
- 6.6 Members shall maintain good physical appearance, exercise personal cleanliness and be well groomed. ( revised 8/00)
- 6.7 Members shall maintain hair and shaving styles which conform to the following guidelines. ( revised 8/2000)

1. Male Members:

- a. Hair must be clean, neat, combed. Hair may touch the top of each ear, but shall not fall below the top of each ear. Hair shall not be worn longer than the top of the shirt collar at the back of the neck.
- b. Sideburns will be neatly trimmed, rectangular in shape and not extend below the midpoint of each ear.

6.7 (continued)

- c. Male members must be clean shaven, but may wear a mustache. Mustache must be trimmed and cannot extend over the upper lip line or below and beyond the corners of the mouth.

2. Female Members:

- a. Female members must keep hair clean, neat and combed. The hair should be arranged so that it does not extend below the top of the shirt collar. The bulk of the hair should not interfere with the wearing of uniform head gear, including emergency equipment.
  - b. Hair ornaments, or ribbons and earrings will not be worn. Pins, combs or barrettes needed to keep hair in place may be worn, but they must be similar to color of hair, unobtrusive and concealed as much as possible.
- 6.8 Members while in uniform, in public view, shall maintain a military bearing. They will be polite, speak clearly and avoid mannerisms such as slouching, shuffling or placing their hands in their pockets or leaning against objects. ( revised 8/00)

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- 6.9 Members will not use tobacco products (chewing tobacco, cigars, cigarettes, etc) in areas of public buildings which are accessible to the public, pursuant to Section 1399-0 of the NYS Public Health Law. (revised 8/00)
- 6.10 Members may use tobacco as long as: ( new 8/00)
- a. They are not in a department vehicle.
  - b. They are not in the eye of the general public.
  - c. They are not engaged in traffic direction and control.
  - d. They do not have to leave their assignment or duty station for the sole purpose of doing so.
- 6.11 Members will not chew gum, candy or other products in public view or during special details, e.g., parades, crowd control, traffic control, or dignitary duty. (new 8/00)
- 6.12 Members shall submit to uniform and / or equipment inspection when directed by competent authority.
- 6.13 Exceptions or modifications to the grooming and appearance regulations may be granted by the Sheriff when the needs of the department require it.( new 8/00)

## PART 7

### EQUIPMENT AND FACILITIES

- 7.1 Members shall exercise proper use and reasonable care of all official equipment and facilities.
- 7.2 Members shall use only that official equipment authorized for their duty assignment. Members shall not attempt to operate any equipment which they are not qualified or authorized to use.( revised 8/00)
- 7.3 Members shall not use official equipment or facilities for personal or commercial purposes. Personally owned equipment shall not be used for official purposes without approval of competent authority.
- 7.4 Members shall not make unauthorized purchases, transfers, loans, alterations or disposal of official equipment.
- 7.5 Members shall not enter into contracts for labor or services on behalf of, or otherwise obligate the County or B.C.S.O. without proper authorization. (revised 8/00)
- 7.6 Members shall not allow unauthorized access to, or alteration of official equipment or facilities.

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- 7.7 Members shall report to competent authority, orally or in writing, without unnecessary delay, any known or observed loss, damage, theft, misuse or removal of official equipment.
- 7.8 Members shall report to competent authority, orally and in writing, without unnecessary delay, any known or observed damage to, or misuse, of official facilities.( revised 8/00)
- 7.9 Members shall not damage or deface any official equipment or facility, or affix unauthorized materials thereto.
- 7.10 Members shall not alter damage or remove official posted items without proper authorization. (revised 01/01)
- 7.11 Members shall not post derogatory pictures, obscene or insulting pictures, photographs, graffiti, cartoons, drawings or depictions of any sort on bulletin boards, chalkboards, walls, lockers, vehicles or on or about any official facility or property of the B.C.S.O., nor shall they fail to remove such materials or arrange for their removal.(new 02/01)
- 7.12 Members found responsible for mutilation, destruction, loss or misplacement of Broome County property through negligence or tampering will be subject to disciplinary action. (new 8/00)
- 7.13 Members shall, when using or operating official equipment, utilize all provided safety equipment and comply with related standards of safe operation. (revised 8/00)
- 7.14 Members shall comply with established procedures when using or operating official communications equipment or telephones. (revised 8/00)
- 7.15 Members shall not permit any person not on official police business to ride in a B.C.S.O. vehicle unless specifically authorized by the Sheriff or competent authority. (revised 8/00)
- 7.16 Members shall not pull, push, tow, or jump start any vehicle with an Office vehicle except in an emergency. ( revised 8/00)
- 7.17 Members shall drive defensively with due regard to public safety and the safety of officers. All motor vehicle accidents involving department vehicles will be investigated thoroughly. Any accident determined to be the result of a member's negligence, recklessness or disregard for public safety shall be grounds for a charge of misconduct. Members should also refer to Policy number 724 entitled Accident reporting, more specifically Section IX. D as it pertains to the establishment of a review board for "preventable" and "non-preventable" accidents. (rev 2/12)

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- 7.18 Members and passengers traveling in or operating a B.C.S.O. or other county vehicle shall be constrained by safety belts as outlined in Section 1229-C of the New York State Vehicle and Traffic Law. (revised 8/00)
- 7.19 Members will not transmit abusive, derogatory, profane or otherwise unprofessional communication over the radio. (revised 01/01)

## PART 8

### FIREARMS

- 8.1 Authorized members, while on duty, shall carry or possess only issued and authorized firearms and ammunition. Off duty carry of such firearms is not required; however members who chose to carry an officially issued firearm or personally owned firearm off duty must abide by all applicable state and federal laws, regulations and B.C.S.O. Rules of Conduct.
- 8.2 Members shall exercise proper care, maintenance and safekeeping of all firearms in their control and possession.
- 8.3 Members authorized to carry firearms shall have their issued firearm in their possession while on duty. Exceptions may be made when complying with acceptable regulations of courts or institutions where possession of firearms is prohibited or regulated.
- 8.4 Members shall strictly observe safety procedures when using or handling firearms. When on duty, members shall keep firearms loaded and holstered or secured when not in use. When off duty, weapons shall be stored in a locked cabinet, closet or locker and the use of a locking mechanism through the trigger is recommended.( revised 8/00)
- 8.5 Members shall draw or discharge firearms only in the proper performance of duty. Any on-duty or duty related discharge of a firearm shall be reported to competent authority without unnecessary delay, regardless of the location where such discharge occurs. Any

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duty, off duty or duty related discharge must be reported to the member's superior or in his/her absence to the Undersheriff or Sheriff. This requirement does not apply to authorized firearms training, target practice, test firing following repair or legal hunting. Any discharge that results in injury to any person, however slight, must be reported in writing, regardless of the circumstances of the discharge. ( revised 02/01 )

8.6 Members shall not purchase or acquire handguns solely on the basis of a Deputy Sheriff's Commission. All purchases or acquisitions shall be made in accordance with New York State and Federal Law. (revised 8/00)

8.7 Members shall record with the New York State Pistol Permit Bureau, the description and serial number of all personally owned handguns.

a. Forms for this purpose are available through the B.C.S.O. Pistol Permit Bureau.

## PART 9

### PROPERTY AND EVIDENCE

9.1 Members shall process, according to established procedures, all property and evidence that comes into their possession.

9.2 Members shall not convert to their own use, misuse, misappropriate, conceal, falsify, alter, tamper with, destroy, remove or withhold any property or evidence recovered by, or surrendered to the B.C.S.O. ( revised 8/00)

9.3 Members shall follow established B.C.S.O. procedures for the destruction and disposition of property and evidence. ( revised 8/00)

9.4 Members shall not take an interest in, or become a party to, the acquisition of property disposed of by the Civil Division, and members are prohibited by law from acquiring real property at an execution sale conducted by the B.C.S.O. ( revised 8/00)

## PART 10

### PERSON IN CUSTODY

10.1 Members, when arresting or taking persons into custody, shall search and handcuff them according to established procedures.

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10.2 Members, when arresting, taking into custody, transporting or detaining persons, shall not act in a manner intended to provoke or antagonize them and shall ensure such person's safety and security. (revised 01 /2001 )

10.3 Members, when arresting or taking persons into custody, shall ensure the person's property is safeguarded.

## PART 11

### COURTS AND TESTIMONY

11.1 Members who are required to appear at a judicial or other official proceeding shall notify their O.I.C.. (revised 01/2001)

11.2 Members shall make immediate notification to the Sheriff and the proper Government Attorney when they are required as a witness for the defense in a criminal action or in any action against a government entity. ( revised 8/00)

11.3 Members, when appearing at a judicial or other official proceeding, shall be properly prepared, punctual, properly attired and shall conduct themselves in professional manner. Proper attire shall refer to section 6.2 b, Uniform and Appearance. (revised 02/01)

11.4 Members shall, without unnecessary delay, notify then Sheriff and the B.C. Attorney upon commencement of a Civil Action or Criminal Action resulting from a duty related occurrence or their exercise of police authority. Members who are in possession of any legal process, such as a subpoena or summons, must be forwarded to the Sheriff by the member. (revised 02/01 )

11.5 Members shall not take action on the part of any person in an effort to influence a disposition in a judicial or official proceeding without the approval of competent authority. ( revised 8/2000)

11.6 Members shall not recommend the name, or secure the services of an attorney for any person. Members shall not give an opinion as to a fine, penalty or bail to any violator or suspect.

Policy Established 6/97  
Policy Revised 9/00  
Policy Revised 1/01  
Policy Revised 2/01  
Policy Reviewed 4/10

PART 12  
DEFINITIONS

ACTING..... Temporarily serving in a position of which the member is not ordinarily assigned, usually in the position of higher rank or authority. The authority, responsibilities and duties of the position are vested in the member for the term of his acting status.

AGENCY... ..... A lawful enforcement organization, a unit a municipal, state or federal government.

APPOINTMENT..... The designation of a person to a non-competitive position or to a position as the result of a competitive qualification examination by the Sheriff.

ARREST.....Take into custody by legal authority.

ASSIGNMENT, Area of... ..... A post, patrol zone; location or geographic area to which members are assigned.( revised 8/00)

ASSIGNMENT..... Any personnel placement made by the sheriff, or his authority.

AUTHORITY..... The power to command, require obedience or to discipline others.

B.C.S.O..... Broome County Sheriff's Office. (revised 1/12)

CHAIN OF COMMAND..... The unbroken line of authority extending from the Sheriff

Policy Established 6/97  
Policy Revised 9/00  
Policy Revised 1/01  
Policy Revised 2/01  
Policy Reviewed 4/10

through a single subordinate at each level of command  
descending to the level of execution and return.

COMMAND..... To order or require.

COMPETENT AUTHORITY. ...The Sheriff, or his/her designee, in a position of command or  
authority over other members; orders, directives,  
procedures, or rules that require or prohibit actions or  
conduct.

CONFIDENTIAL..... An investigatory or internal office matter not to be divulged  
to unauthorized persons.

COUNTY , The..... Broome County

CUSTODY..... In the control of or under guard by a public servant  
pursuant to authorized arrest or an order of the  
courts.

DANGEROUS INSTRUMENT..... Any instrument, article or substance including a  
vehicle as that term is defined in the NYS Penal  
Law, Article 10 , which, under the circumstances in  
which it is used, attempted to be used or threatened  
to be used, is readily capable of causing death or  
other serious physical injury. (revised 8/00)

DEADLY WEAPON..... Any loaded weapon from which a shot, readily  
capable of producing death or other serious  
physical injury, may be discharged, or a  
switchblade knife, gravity knife, pilum ballistic  
knife, metal kuckle knife, dagger, billy,  
blackjack, or metal knuckles.  
(revised 8/00 )

DIRECTIVE... ..... A written or printed form of instructions or  
information issued to members; a verbal order.

DIVISION.... ,..... A duly established section of the Sheriff's Office  
having a supervisory head.

DIVISION SUPERVISOR.. ..... That member who is appointed by the Sheriff to  
supervise the operation of a division.  
(revised 8/00)

DOCUMENT..... . ... Written or printed matter that furnishes information

Policy Established 6/97  
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or evidence; a written report, directive, memo.

DUTY..... Actions or conduct required of members; prescribed assignments.

On Duty..... That period when a member is actively engaged in the performance of his/her duties either on a shift, extra duty, or when on duty during because of an emergency.(revised 8/00)

Off Duty..... That period when a member is not actively engaged in, or available for, prescribed duties.

DUTY STATION.....Place of assignment.

EMPLOYEE... Each person employed by the Office. This term includes all" Members" as defined herein.

EVIDENCE.....Material or property of a probative nature which when linked with proper testimony would tend to prove or disprove a point of fact.

FIREARM..... Handguns issued or approved for official use; issued shotguns, rifles, machineguns.  
(revised 8/00)

FIREARMS, Authorized..... A personally owned handgun carried by members with Sheriff's Office approval.

GRIEVENCE..... The procedure instituted to promote a cooperative, employer- employee relationship for the resolution and settlement of disagreements between the Office and members /employees of the Broome County Sheriff's Office. ( revised 8/00)

IMMEDIATE..... Without delay.

IMMEDIATE SUPERVISOR..... The supervisor exercising command over subordinates at a particular time.

INCOMPETENCE..... Incapable of satisfactory performance of assigned

Policy Established 6/97  
Policy Revised 9/00  
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Sheriff's Office duties.

INSUBORDINATION..... The willful disobedience in complying with any order lawfully issued, orally or in writing, by a supervisory officer, or any disrespectful, insolent or abusive language or actions directed toward a supervisory officer.

INTERIM ORDER. . . . .An order issued by the Sheriff or his designee with the same force or effect as a rule, regulation or addendum to procedures. Interim orders will be incorporated into the operations manual on a yearly basis.

INVESTIGATION..... A police related inquiry intended to establish or gather information.

MAY.....,..... The word "may" as used herein, shall mean that the action indicated is elective.

MEMBERS.....All sworn employees of the Broome County Sheriff's Office.

MILITARY COURTESY..... The prescribed military manner of respectfully acknowledging and addressing other Office members or members of other military or quasi-military organizations.

NEGLECT OF DUTY..... Failure to render proper attention or take appropriate action in the performance of duty.

OFFICE, The..... Broome County Sheriff's Office.

OFFICE VEHICLE... Any car, truck, bus, snowmobile, boat or other conveyance registered to or regularly used by this Office.

OFFICIAL CONTACTS .....Duty related contacts or communications with other government officials or agencies.

OFFICIAL EQUIPMENT..... Materials owned or possesses by the Office or County and issued to, supplied for, or used by members to accomplish their duties.

OFFICIAL FACILITY..... A structure or property owned or utilized by the County or the Office.

OFFICIAL POSITION..... A member's standing as a result of their employment with the Sheriff's Office.

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Policy Revised 9/00  
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OFFICIAL PROCEEDING..... A formal hearing or inquiry intended to establish facts or gather information.

O.I.C..... B.C.S.O. Member who is in charge at a particular time and place.

OPERATIONS MANUAL..... The text used to guide and regulate member employees of the Office.

POLICE AUTHORITY. ....The enforcement power vested in a member by law.

PROCEDURE..... A specified method or course of action prescribed by the Office; an established or adopted practice.

PROFESSIONAL IMAGE..... Visible representation, through military bearing behavior which conveys a favorable public impression.

PROPER AUTHORIZATION... Prior approval from competent authority.

PROPERTY..... All items of monetary or personal value to be held until returned to owner or otherwise properly disposed of.

CONTACTS..... Duty- related contacts or communications with the general public.

REGULATION EQUIPMENT..... Equipment which the Sheriff has approved for member's use.

REGULATIONS..... Standards established to prescribe, direct, manage or control.

RULES.....-An established standard, guide or regulation from the Office of the Sheriff, which prescribes or directs actions, activities or the method of accomplishing something. Such established standard, guide or regulation may require or prohibit actions and activities.

RULES OF CONDUCT..... Formal statements of required or prohibited conduct.

SHIELD..... Sheriff's Office issued or authorized badge.

SPECIAL DEPUTY..... A sworn temporary employee assigned specific duties who serve at the pleasure of the Sheriff.

STAFF..... Those members or employees assigned to serve in an executive or advisory capacity as assistants to the Sheriff.

SUBVERSIVE..... Tending to subvert or overthrow a legally a government unit or government.

Policy Established 6/97  
 Policy Revised 9/00  
 Policy Revised 1/01  
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 Policy Reviewed 4/10

SUPERVISORY OFFICER..... A member assigned by competent authority to oversee the duty -related activities of members of equal or lower rank.

TENURE..... Period of active employment.

TOUR OF DUTY..... On duty.

UNNECESSARY DELAY..... To put off or avoid, without good reason, for a period of time longer than necessary.

UNIFORM..... The complete uniform issued as approved by the Sheriff.

Policy Established 6/97  
Policy Revised 9/00  
Policy Revised 1/01  
Policy Revised 2/01  
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